

No. _____

In the
Court of Criminal Appeals
Of the State of Texas

FILED
COURT OF CRIMINAL APPEALS
7/11/2018
DEANA WILLIAMSON, CLERK

Jesse Galindo Delafuente

v.

The State of Texas

Appeal from the 10th Court of Appeals

No. 10-16-000376-CR

**Appellant's First Motion for Extension of Time to
File Petition for Discretionary Review**

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Attorney for Appellant

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

JESSE GALINDO DELAFUENTE, Appellant, moves for an extension to file Appellant's Petition for Discretionary Review.

I.

Appellant JESSE GALINDO DELAFUENTE moves this Court to allow an extension of sixty (60) days to file his Petition for Discretionary Review. Appellant was convicted of the offense of Evading Arrest in a Motor Vehicle and was sentenced to ten years in the Texas Department of Criminal Justice, Institutional Division. The trial and sentencing took place on October 31, 2016. The Tenth Court of Appeals issued its opinion on June 27, 2018 denying Appellant's requested relief.

II.

**REQUIRED INFORMATION PURSUANT TO
THE RULES OF APPELLATE PROCEDURE**

A. The deadline for filing the Petition for Discretionary Review:

July 27, 2018

B. The length of the extension sought:

Sixty days

C. The facts relied upon to reasonably explain the need for the extension:

Appellant's attorney is engaged in a full-time practice of criminal and family law. Counsel has been appointed to and retained by several new

clients. In addition, counsel carries a heavy load of existing trial and appellate work.

During the pendency of this petition, counsel has several plea, trial, and sentencing hearings. Specifically, counsel has a jury trial setting in a criminal case in McLennan County beginning on July 10, 2018, a jury trial setting for a criminal case in Bell County beginning on July 16, 2018, and a hearing in Federal Court on July 13, 2018.

The number of previous extensions granted for previous Petitions for Discretionary Review:

None

III.

The additional time requested is not sought solely for delay, nor sought frivolously, but will be of genuine assistance to Appellant's attorney in allowing to timely file the Petition.

REQUEST FOR RELIEF

Appellant requests that this Court grant his Motion and extend the deadline for filing Appellant's Petition For Discretionary Review to September 27, 2018 or that this Court grant such additional time as is just and proper.

Respectfully submitted,

/s/ Robert G. Callahan II _____

Robert G. Callahan II

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been sent via Electronic Service to the office of the Criminal District Attorney for McLennan County, and the State Prosecuting Attorney on July 11, 2018.

/s/ Robert G. Callahan II

Robert G. Callahan II
Attorney for Appellant